

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY

WILLIAM A. THIE  
GENERAL COUNSEL  
JOE C. CRAWFORD  
GENERAL SOLICITOR

LAW DEPARTMENT  
701 COMMERCE STREET  
DALLAS, TEXAS 75202

214-651-6736  
March 3, 1980

RECORDATION NO. 8847-C Filed 1425

MAR 7 1980 - 12 45 PM

ARTHUR M. ALBIN  
GENERAL ATTORNEY  
MICHAEL E. ROPER  
COMMERCE COUNSEL

INTERSTATE COMMERCE COMMISSION

0-067A052

IN REPLY REFER TO: 410.043-16F

Date MAR 7 1980

Fee \$ 10.00

ICS Washington, D. C.

Mrs. Agatha L. Mergenovich  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

Re: Release of Security Agreement dated May 27, 1977, between Southwestern States Management Co., Debtor, and Mercantile Trust Company, National Association, Secured Party, said Release dated February 27, 1980.

Dear Mrs. Mergenovich:

In accordance with the provisions of Section 11303 of the Interstate Commerce Act and rules and regulations approved and prescribed by the Interstate Commerce Commission thereto, I am enclosing for filing and reporting three counterparts of a Release dated February 27, 1980, releasing that certain Security Agreement dated May 27, 1977, by and between Southwestern States Management Co., Debtor, 701 Commerce Street, Dallas, Texas, and Mercantile Trust Company, National Association, Secured Party, Eighth and Locust Street, St. Louis, Missouri 63166 which Security Agreement, prior to subsequent amendments, pertained to and covered 401 open top and covered hopper cars bearing Missouri-Kansas-Texas Railroad Company standard marks as follows:

16 2000-cubic foot Covered Hopper Cars numbered:

34081, 34082, 34084, 34085, 34087, through 34094, 34095, 34097, 34098, 34100

385 70-ton Open Top Hopper Cars numbered:

36000 through 36130	36155 through 36167	36206 through 36241	36302 through 36319
36132 through 36139	36169 through 36184	36243	36321 through 36379
36141 through 36149	36186 through 36197	36245 through 36257	36381 through 36395
36151 through 36153	36199 through 36204	36259 through 36300	36397 through 36399

RECEIVED  
MAR 7 12 42 PM '80  
I.C.C.  
FEE OPERATION BR.

RECORDATION NO. 8847-12 C  
FILED 1425

MAR 7 1980 - 12 45 PM

INTERSTATE COMMERCE COMMISSION

R E L E A S E

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Loan Agreement and by Security Agreement dated May 27, 1977, SOUTHWESTERN STATES MANAGEMENT CO. (hereinafter referred to as "Company"), a Missouri corporation with office in Dallas, Texas, did sell, assign, transfer, convey, mortgage and grant a security interest in and to sixteen 2,000 cubic foot covered hopper cars and 385 70-ton open-top hopper cars, (hereinafter called "Cars"), owned by the Company, to Mercantile Trust Company National Association, (hereinafter called "Bank"), a national banking association with its principle office in St. Louis, Missouri; and

WHEREAS, said Security Agreement was duly filed and recorded with the Interstate Commerce Commission on the sixth day of June, 1977, and given Recordation No. 8847; and

WHEREAS, said security interest was granted to secure payment of a certain indebtedness of Company to Bank as evidenced by Promissory Note from Company to Bank dated May 27, 1977; and

WHEREAS, from time to time said Security Agreement has been amended, or releases given, relinquishing, discharging and releasing certain cars from the terms and provisions of said Loan Agreement and Security Agreement; and

WHEREAS, Company has tendered full and final repayment of all principle payment and interest incurred by it under said Promissory Note and has requested said security interest of Bank be released and Bank is agreeable thereto;

NOW THEREFORE, it is agreed by and between the parties hereto as follows: Said Security Agreement dated the 27th day of May, 1977, and said Loan Agreement between the parties dated May 27, 1977, are hereby cancelled and terminated

and Bank does hereby release, relinquish and surrender all of its right, title and interest in and to any of the covered hopper cars and open-top hopper cars covered by said Security Agreement and Loan Agreement and does hereby release, relinquish and surrender any and all liens, plats, security interest and encumbrances of any kind arising under the terms and provisions of said Security Agreement and Loan Agreement.


Bank does hereby acknowledge full and final payment of all indebtedness incurred by Company under that certain Promissory Note executed by Company in favor of Bank dated May, 27, 1977.

IN WITNESS WHEREOF, the parties have duly executed this Release as of the 27 day of February, 1980.

MERCANTILE TRUST COMPANY NATIONAL ASSOCIATION

  
Vice President

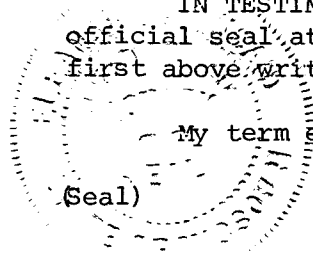
SOUTHWESTERN STATES MANAGEMENT CO.

  
Vice President

STATE OF MISSOURI )  
 ) SS.  
CITY OF ST. LOUIS )

On this 25<sup>th</sup> day of February, 1980, before me appeared  
Athan S. Murtis, to me personally known, who being  
by me duly sworn, did say that he is the Vice President of Mercantile Trust  
Company National Association, a national banking association, and that  
the seal affixed to the foregoing instrument is the corporate seal of said  
association, and that said instrument was signed and sealed in behalf of  
said association by authority of its Board of Directors; and said Athan  
S. Murtis acknowledged said instrument to be the free act and deed  
of said association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my  
official seal at my office in the City and State aforesaid, the day and year  
first above written.



My term expires SEP 22 1983

Eleanor M. Kincaid  
Notary Public ELEANOR M. KINCAID

STATE OF TEXAS )  
 ) SS.  
COUNTY OF DALLAS )

BEFORE ME, the undersigned, a Notary Public in and for said County and  
State, on this day personally appeared H. O. Brandt,  
Vice President, known to me to be the person and officer whose name is sub-  
scribed to the foregoing instrument and acknowledged to me that the same was  
the act of the said SOUTHWESTERN STATES MANAGEMENT CO., a corporation, and  
that he executed the same as the act of such corporation for the purposes and  
consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 4<sup>th</sup> day of March, 1980.

Reuth murdock  
Notary Public in and for Dallas County,  
Texas

My Commission expires: 12-31-80

**Interstate Commerce Commission**  
Washington, D.C. 20423

3/11/80

OFFICE OF THE SECRETARY

**Arthur M. Albin, Gen. Atty.  
Missouri-Kansas-Texas RR. Co.  
701 Commerce Street  
Dallas, Texas 75202**

Dear **Sir:**

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on **3/7/80** at **12:45pm**, and assigned re-recording number(s). **8847-C**

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

**MISSOURI-KANSAS-TEXAS RAILROAD COMPANY**  
LAW DEPARTMENT

Mrs. Agatha L. Mergenovich

- 2 -

March 3, 1980

I am also enclosing a cashier's check in the amount of \$10 to cover the cost of this filing. Said Security Agreement was filed with the Interstate Commerce Commission on June 6, 1977, and was assigned Recordation No. 8847.

Please return the file marked copies of the Release to me for distribution to the parties.

Your cooperation in this matter will certainly be appreciated.

I certify that I have knowledge of the matters set forth herein.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Arthur M. Albin".

Arthur M. Albin

AMA/ds  
Encl.